



## **Child Protection**

### **1.2 Safeguarding Children, Young People and Vulnerable Adults**

(Including managing allegations of abuse against a member of staff)

**Safeguarding and Welfare Requirement: Child protection**

Abbots Langley Pre-School must have and implement a policy and procedures to safeguard children

### **Policy Statement**

Abbots Langley Pre-School will work with children, parents and the community to ensure the rights and safety of children, young people and vulnerable adults and to give them the very best start in life. To achieve this, we will be following three key commitments of the Pre-School Learning Alliance Safeguarding Children Policy.

### **Procedures**

#### **Key Commitment 1**

Abbots Langley Pre-School is committed to building a 'culture of safety' in which children, young people and vulnerable adults are protected from abuse and harm in all areas of its service delivery.

#### **Staff and volunteers**

- Our designated safeguarding person (a member of staff) who co-ordinates child, young people and vulnerable adult's protection issues is:

CURRENT LEADER

- When the Pre-School is open, but the designated person is not on site, a suitably trained deputy is available at all times for staff to discuss safeguarding concerns.

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- Our designated safeguarding manager who oversees this work is:

### CURRENT LEADER

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- The designated person, the suitably trained deputy and manager ensure they have links with statutory and voluntary organisations with regard to safeguarding.
- The designated person (and the person who deputises for them) understands LSCB safeguarding procedures, attends relevant LSCB training at least every two years and refreshes their knowledge of safeguarding at least annually
- We ensure all staff and parents are made aware of our safeguarding policies and procedures
- All staff understand that safeguarding is their responsibility
- All staff have an up-to-date knowledge of safeguarding issues, are alert to potential indicators and signs of abuse and neglect and understand their professional duty to ensure safeguarding and child protection concerns are reported to the local authority children's social work team or the NSPCC. They receive updates on safeguarding at least annually.
- All staff are confident to ask questions in relation to any safeguarding concerns and know not to just take things at face value but can be respectfully sceptical.
- All staff understand the principles of early help (as defined in *Working Together to Safeguard Children*, 2018) and are able to identify those children and families who may be in need of early help and enable them to access it.
- All staff understand the thresholds of significant harm and understand how to access services for families, including for those families who are below the threshold for significant harm, according to arrangements published by the LSCB or safeguarding partners in areas where the safeguarding partners have replaced the LSCB
- All staff understand their responsibilities under the General Data Protection Regulation and the Data Protection Act 2018, and understand relevant safeguarding legislation, statutory requirements and local safeguarding partner requirements and ensure that any information they may share about parents and their children with other agencies is shared appropriately and lawfully.
- We will support families to receive appropriate early help by sharing information with other agencies in accordance with statutory requirements and legislation.
- We will share information lawfully with safeguarding partners and other agencies where there are safeguarding concerns.

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- We will be transparent about how we lawfully process data.
- All staff understand LSCB thresholds of significant harm and understand how to access services for families, including for those families who are below the threshold for significant harm.
- All staff understand how to escalate their concerns in the event that they feel either the local authority and/or their own organisation has not acted adequately to safeguard. and know how to follow local safeguarding procedures to resolve professional disputes between staff and organisations
- All staff understand what the organisation expects of them in terms of their required behaviour and conduct, and follow our policies and procedures on positive behaviour, online safety (including use of mobile phones and cameras), whistleblowing and dignity at work.
- Children have a key person to build a relationship with, and are supported to articulate any worries, concerns or complaints that they may have in an age appropriate way.
- All staff understand our policy on promoting positive behaviour and follow it in relation to children showing aggression towards other children.
- We provide adequate and appropriate staffing resources to meet the needs of children.
- Applicants for posts within Abbots Langley Pre-School are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974.
- Enhanced criminal records and barred lists checks and other suitability checks are carried out for staff and volunteers prior to their post being confirmed, to ensure that no disqualified person or unsuitable person works at the setting or has access to the children.
- Where applications are rejected because of information that has been disclosed, applicants have the right to know and to challenge incorrect information.
- Enhanced criminal records and barred lists checks are carried out on anyone living or working on the premises
- Volunteers must:
  - be aged 17 or over;
  - be considered competent and responsible;
  - receive a robust induction and regular supervisory meetings;
  - be familiar with all the settings policies and procedures;

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- be fully checked for suitability if they are to have unsupervised access to the children at any time.
- We record information about staff qualifications, and the identity checks and vetting processes that have been completed including:
  - the criminal records disclosure reference number;
  - certificate of good conduct or equivalent where a UK DBS check is not appropriate;
  - the date the disclosure was obtained; and
  - details of who obtained it

From 31 August 2018, staff and volunteers in childcare settings that are not based on domestic premises are **not** required to notify their line manager if anyone in their household (including family members, lodgers, partners etc) has any relevant convictions, cautions, court orders, reprimands or warnings or has been barred from, or had registration refused or cancelled in relation to any childcare provision or have had orders made in relation to care of their children. For childminders and childcare provided from domestic settings they will be required to notify if anyone in their household has any relevant convictions, court orders or reprimands or had registration refused or cancelled in relation to childcare provision or have had certain Orders made in relation to the care of their children in accordance with the Childcare Disqualification and Childcare Regulations 2018, and Disqualification under the Childcare Act guidance effective from 31 August 2018.

- Staff receive regular supervision, which includes discussion of any safeguarding issues, and their performance and learning needs are reviewed regularly.
- In addition to induction and supervision, staff are provided with clear expectations in relation to their behaviour [outlined in the employee handbook]. We inform all staff that they are expected to disclose any convictions, cautions, court orders or reprimands and warnings which may affect their suitability to work with children (whether received before or during their employment with us).
- All staff and volunteers are required to notify us if anyone in their household (including family member, lodgers, partners etc.) have any relevant convictions, court orders, reprimands and warnings or has been barred from, or had registration refused or cancelled in relation to any childcare provision, or have had orders made in relation to care of their children.
- We notify the Disclosure and Barring Service of any person who is dismissed from our employment or resigns in circumstances that would otherwise have led to dismissal for reasons of a child protection concern.
- We have procedures for recording the details of visitors to the Pre-School.
- We take security steps to ensure that we have control over who comes into the Pre-School so that no unauthorised person has unsupervised access to the children.

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- We take steps to ensure children are not photographed or filmed on video for any other purpose than to record their development or their participation in events organised by us. Parents sign a consent form and have access to records holding visual images of their child. Staff do not use personal cameras or filming equipment to record images.
- Personal mobile phones are not used where children are present.
- Any personal information is held securely and in line with data protection requirements and guidance from the ICO.
- The designated safeguarding manager in our Pre-School has responsibility for ensuring that there is an adequate online safety policy in place.
- We keep a written record of all complaints and concerns including details of how they were responded to.
- We ensure that robust risk assessments are completed, that they are seen and signed by all relevant staff and that they are regularly reviewed and updated, in line with our health and safety policy.
- The designated safeguarding manager will support the designated safeguarding person to undertake their role adequately and offer advice, guidance, supervision and support.
- The designated safeguarding person will inform the designated safeguarding manager at the first opportunity of every significant safeguarding concern; however, this should not delay any referrals being made to the children's social worker services, or where appropriate, the LADO or Riddor.

### **Key commitment 2**

Abbots Langley Pre-School is committed to responding promptly and appropriately to all incidents, allegations or concerns of abuse that may occur and to work with statutory agencies in accordance with the procedures that are set down in 'What to do if you're worried a child is being abused' (HMG 2015) and the Care Act 2014.

#### ***Responding to suspicions of abuse***

- We acknowledge that abuse of children can take different forms - physical, emotional, and sexual, as well as neglect
- We ensure that all staff have an understanding of the additional vulnerabilities that arise from special educational needs and/or disabilities, plus inequalities of race, gender, disability, language, religion, sexual orientation or culture and that these

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receive full consideration in relation to child, young person or vulnerable adult protection.

- When children are suffering from physical, sexual or emotional abuse, or may be experiencing neglect, this may be demonstrated through:
  - Significant changes in their behaviour;
  - Deterioration in their general well-being;
  - Their comments which may give cause for concern, or the things they say (direct or indirect disclosure);
  - Changes in their appearance, their behaviour, or their play;
  - Unexplained bruising, marks or signs of possible abuse or neglect; and - Any reason to suspect neglect or abuse outside the Pre-School.
  
- We understand how to identify children who may be in need of early help, how to access services for them.
  
- We understand that we should refer a child who meets the s17 Children Act 1989 child in need definition to local authority children's social work services.
  
- We understand that we should refer any child who may be at risk of significant harm to local authority children's social work services.
  
- We are aware of the 'hidden harm' agenda concerning parents with drug and alcohol problems and consider other factors affecting parental capacity and risk, such as social exclusion, domestic violence, radicalisation, mental or physical illness and parent's learning disability.
  
- We are aware that children's vulnerability is potentially increased when they are privately fostered and when we know that a child is being cared for under a private fostering arrangement, we inform our local authority children's social care department.
  
- We are aware of other factors that affect children's vulnerability that may affect, or may have affected, children and young people using our provision, such as, abuse of children who have special educational needs and/or disabilities; fabricated or induced illness; child abuse linked to beliefs in spirit possession; sexual exploitation of children, including through internet abuse; Female Genital Mutilation and radicalisation or extremism.
  
- In relation to radicalisation and extremism, we follow the Prevent Duty guidance for England and Wales published by the Home Office and LSCB procedures on responding to radicalisation.

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- The designated person completes online Channel training, online Prevent training and attends local WRAP training where available to ensure they are familiar with the local protocol and procedures for responding to concerns about radicalisation.
- We are aware of the mandatory duty that applies to teachers and health workers to report cases of Female Genital Mutilation to the police. Other safeguarding issues, which involves contacting police if a crime of FGM has been or may be about to be committed.
- We also make ourselves aware that some children and young people are affected by gang activity, by complex, multiple or organised abuse, through forced marriage or honour based violence or maybe victims of child trafficking.

While this may be less likely to affect young children in our care, we may become aware of any of these factors affecting older children and young people who we may come into contact with.

- If we become concerned that a child may be a victim of modern slavery or human trafficking, we will refer to the National Referral Mechanism, as soon as possible and refer and/or seek advice to the local authority children's social work service and/or police.
- We will be alert to the threats children may face from outside their families, that posed by organised crime groups such as county lines, child sexual exploitation, online use and from within peer groups and the wider community.
- Where we believe a child in our care or known to us may be affected by any of these factors, we follow the procedures for reporting child protection and children in need concerns and the Hertfordshire Safeguarding Children Board or when they come into force replacing the LSCB, we will follow the local procedures as published by the local safeguarding partners (or the local safeguarding partners when their published safeguarding arrangements take over from the LSCB).
- Where such indicators are apparent, the child's key person makes a dated record of the details of the concern and discusses what to do with the Pre-School designated safeguarding person or designated safeguarding manager. The information is stored on the child's own section in the DSP file.
- In the event that a staff member or volunteer is unhappy with the decision made of the designated safeguarding person in relation to whether to make a safeguarding referral they must follow escalation procedures.
- We refer concerns about children's welfare to the local authority children's social care department and co-operate fully in any subsequent investigation.

NB In some cases this may mean the police, or another agency identified by the Hertfordshire Safeguarding Children's Board.

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- We respond to any disclosures sensitively and appropriately and take care not to influence the outcome either through the way we speak to children or by asking questions of children (although we may check out/clarify the details of what we think they have told us with them).
- We take account of the need to protect young people aged 16-19 as defined by the Children Act 1989. This may include students or school children on work placement, young employees or young parents. Where abuse is suspected we follow the procedure for reporting any other child protection concerns. The views of the young person will always be taken into account, but the pre-school may override the young person's refusal to consent to share information if it is necessary to prevent a crime or harm to children and adults being committed. Sharing confidential information without consent is only carried out if by not sharing this information, the outcome could be worse.
- All staff are also aware that adults can also be vulnerable and know how to refer adults who are in need of community care services.
- We have a whistleblowing policy in place.
- Staff/volunteers know they can contact the organisation Public Concern at Work for advice relating to whistleblowing; if they feel that the organisation has not acted adequately in relation to safeguarding they can contact the NSPCC whistleblowing helpline.

### ***Recording suspicions of abuse and disclosures***

- Where a child makes comments to a member of staff that gives cause for concern (disclosure), observes signs or signals that gives cause for concern, such as significant changes in behaviour; deterioration in general well-being; unexplained bruising, marks or signs of possible abuse or neglect that member of staff:
  - Listens to the child, offers reassurance and gives assurance that she or he will take action;
  - Does not question the child, although it is OK to ask questions for the purposes of clarification;
  - Makes a written record that forms an objective record of the observation or disclosure that includes:
    - The date and time of the observation or the disclosure;
    - The exact words spoken by the child as far as possible;
    - The name of the person to whom the concern was reported, with date and time; and
    - The names of any other person present at the time.
- These records are signed and dated and kept in the child's personal section within the Pre-School DSP file which is kept securely and confidentially.



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- The Pre-School member of staff acting as the Designated Safeguarding Person is informed of the issue at the earliest opportunity and always within one day.
- Where the Hertfordshire Safeguarding Children Board or local safeguarding partners safeguarding procedures stipulates the process for recording and sharing concerns, we include those procedures alongside this procedure and follow the steps set down by the Hertfordshire Safeguarding Children Board.

### ***Making a referral to the local authority social care team***

- The Pre-School Learning Alliance's publication Safeguarding Children contains procedures to help make a referral to the local children's social care team, as well as a template form for recording concerns and to assist with making a referral.
- We keep a copy of this document alongside procedures set down by Hertfordshire Safeguarding Children Board.

### ***Escalation process***

- If we feel that a referral made has not been dealt with properly or that concerns are not being addressed or responded to, we will follow the Hertfordshire Safeguarding Children's Board escalation process.
- We will ensure that staff are aware of how to escalate concerns.

### ***Informing parents***

- Parents are normally the first point of contact. We discuss concerns with parents to gain their view of events unless we feel this may put the child or other person at risk, may interfere with the course of a police investigation, unduly delay the referral, or unless it is otherwise unreasonable to seek consent. Advice will be sought from social care or in some circumstances police where necessary.
- We inform parents where we make a record of concerns in their child's personal section within the Pre-School DSP file and that we also make a note of any discussion we have with them regarding a concern.
- If a suspicion of abuse warrants referral to social care, parents are informed at the same time that the referral will be made, except where the procedures of the Hertfordshire Safeguarding Children Board/local safeguarding partners does not allow this, for example, where it is believed that the child may be placed at risk.
- This will usually be the case where the parent is the likely abuser or where sexual abuse may have occurred.

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- In these cases, the social workers will inform parents.
- If there is a possibility that advising a parent beforehand may place a child at greater risk (or interfere with a police response) the designated safeguarding person should consider seeking advice from children's social work services, about whether or not to advise parents beforehand, and should record and follow the advice given.

### ***Liaison with other agencies and multi-agency working***

- We work within the Hertfordshire Safeguarding Children Board guidelines/Local Safeguarding Partners.
- We have a copy of 'What to do if you're worried a child is being abused' for parents and staff and all staff are familiar with what to do if they have concerns.
- We have procedures for contacting the local authority on child protection issues and concerns about child's welfare including maintaining a list of names, addresses and telephone numbers of social workers, to ensure that it is easy, in any emergency, for the Pre-School and social services to work well together.
- We notify the registration authority (Ofsted) of any incident or accident and any changes in our arrangements which may affect the wellbeing of children or where an allegation of abuse is made against a member of staff, and any specific procedures such as responding to concerns about radicalisation or extremism (whether the allegations relate to harm or abuse committed on our premises or elsewhere). Notifications to Ofsted are made as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made.
- Contact details for the local National Society for the Prevention of Cruelty to Children (NSPCC) are: **0808 800 5000**.

### ***Allegations against staff and persons in a position of trust***

- We ensure that all parents know how to complain about the behaviour or actions of staff or volunteers within Abbots Langley Pre-School which may include an allegation of abuse.
- We ensure that all staff volunteers and anyone else working in the setting knows how to raise concerns that they may have about the conduct or behaviour of other people including staff/colleagues.
- We differentiate between allegations, concerns about the quality of care, practice, complaints and have a separate process for responding to complaints.
- We will recognise and respond to allegations that a person who works with children has:

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- behaved in a way that has harmed a child, or may have harmed a child
  - possibly committed a criminal offence against or related to a child
  - behaved towards a child or children in a way that indicates they may pose a risk of harm to children
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- We follow the guidance of the Hertfordshire Safeguarding Children Board when responding to any complaint that a member of staff, or volunteer within Abbots Langley Pre-School has abused a child.
  - We respond to any disclosure by children or staff that abuse by a member of staff or volunteer within Abbots Langley Pre-School may have taken, or is taking place, by THE Designated Senior Officer first recording the details of any such alleged incident and then reporting it to the Designated Senior Manager.
  - We refer any such complaint immediately a senior manager within the organisation and to the local authority's Designated Officer department. (LADO) as necessary to investigate and/or offer advice.
  - We also report any such alleged incident to Ofsted (unless advised by LADO that this is unnecessary due to the incident not meeting the threshold) and what measures we have taken. We are aware that it is an offence not to do this.
  - We co-operate entirely with any investigation carried out by children's social care in conjunction with the police.
  - Where the Designated Senior Manager and the children's social care agree it is appropriate in the circumstances, the member of staff or volunteer will be suspended for the duration of the investigation. This is not an indication of admission that the alleged incident has taken place, however is to protect the staff as well as children and families throughout the process. Where it is appropriate, practical and agreed with LADO, we will seek to offer an alternative to suspension for the duration of the investigation, if an alternative is available that will safeguard children and not place the affected staff or volunteer at risk.
  - All staff know that they can contact the NSPCC whistleblowing helpline if they feel that or organisation and the local authority have not taken appropriate action to safeguard a child and this has not been addressed satisfactorily through organisational escalation and professional challenge procedures.

### ***Disciplinary action***

- Where a member of staff or volunteer has been dismissed due to engaging in activities that caused concern for the safeguarding of children or vulnerable adults, we will notify the Disclosure and Barring Service of relevant information so that individuals who pose a threat to children (and vulnerable groups), can be identified and barred from working with these groups.

### **Key commitment 3**

Abbots Langley Pre-School is committed to promoting awareness of child abuse issues throughout its training and learning programmes for adults. It is also committed to empowering young children, through its early childhood curriculum, promoting their right to be strong, resilient and listened to.

#### **Training**

- We seek out training opportunities for all adults involved in the Pre-School to ensure that they are able to recognise the signs and signals of possible physical abuse, emotional abuse, sexual abuse (including child sexual exploitation) and neglect and that they are aware of the local authority guidelines for making referrals.
- Training opportunities should also cover extra familial threats such as online risks, radicalisation and grooming, and how to identify and respond to families who may be in need of early help, and organisational safeguarding procedures.
- We ensure that designated persons receive training in accordance with that recommended by the Hertfordshire Safeguarding Children Board, every two years and refresh their knowledge and skills at least annually.
- We ensure that all staff know the procedures for reporting and recording their concerns in the Pre-School.
- We ensure that all staff receive updates on safeguarding via emails, newsletters, online training and/or discussion at staff meetings at least once a year.

#### **Planning**

- The layout of the Pre-School allows for constant supervision. No child is left alone with staff or volunteers in a one-to-one situation without being within sight and/or hearing of other staff or volunteers.

#### **Curriculum**

- We introduce key elements of keeping children safe into our programme to promote the personal, social and emotional development of all children, so that they may grow to be *strong, resilient and listened to* and that they develop an understanding of why and how to keep safe.
- We create within the Pre-School a culture of value and respect for the individual, having positive regard for children's heritage arising from their colour, ethnicity, languages spoken at home, cultural and social background.

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- We ensure that this is carried out in a way that is developmentally appropriate for the children.

### **Confidentiality**

- All suspicions and investigations are kept confidential and shared only with those who need to know. Any information is shared under the guidance of the Hertfordshire Safeguarding Children Board/Local Safeguarding Partners and in line with the GDPR, Data Protection Act 2018, and Working Together 2018.

### **Support to families**

- We believe in building trusting and supportive relationships with families, staff and volunteers in the group.
- We make our role and responsibilities in relation to child protection clear to parents, such as for the reporting of concerns, providing information, monitoring of the child, and liaising at all times with the local children's social care team.
- We will continue to welcome the child and the family whilst investigations are being made in relation to any alleged abuse.
- We follow the Child Protection Plan as set by the child's social care worker in relation to the pre-school's designated role and tasks in supporting that child and their family, subsequent to any investigation. We will engage with any child in need plan or early help plan as agreed.
- Confidential records kept on a child are shared with the child's parents or those who have parental responsibility for the child in accordance with the Confidentiality and Client Access to Records procedure and only if appropriate under the guidance of the Hertfordshire Safeguarding Children Board.

### **Legal framework**

#### *Primary legislation*

- Children Act (1989 s47)
- Protection of Children Act (1999)
- The Children Act (2004 s11)
- Safeguarding Vulnerable Groups Act (2006)
- Childcare Act (2006)
- Child and Social Work Act 2017
- Child Safeguarding Practice Review and Relevant Agency (England) Regulations 2018

#### *Secondary legislation*

- Sexual Offences Act (2003)

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- Criminal Justice and Court Services Act (2000)
- Equalities Act (2010)
- General Data Protection Regulations (GDPR, 2018)
- Counter-Terrorism and Security Act (2015)
- Childcare disqualifications regulations (2009)
- Care act (2014)
- Serious crime act (2015)
- Children and families act (2014)

### **Further Guidance**

- No Secrets (DoH 2015)
- Working Together to Safeguard Children (HG 2018)
- What to do if you are Worried a Child is Being Abused (HMG 2015)
- Framework for the Assessment of Children in Need and their Families (DoH 2000)
- The Common Assessment Framework for Children and Young People: A Guide for Practitioners (CWDC 2010)
- Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004 (HMG 2008)
- Hidden Harm – Responding to the Needs of Children of Problem Drug Users (ACMD, 2003)
- Information Sharing Advice: Guidance for Practitioners providing Safeguarding Services (DfE 2015)
- Disclosure and Barring Service: [www.gov.uk/disclosure-barring-service-check](http://www.gov.uk/disclosure-barring-service-check)
- Revised Prevent Duty Guidance for England and Wales (HMG, 2015)
- Inspecting Safeguarding in Early Years, Education and Skills Settings, (Ofsted, 2016)
- Safeguarding children (Pre-School learning alliance 2013)
- The new early years employee handbook (Pre-School learning alliance 2016) ▪ People management in the early years (Pre-School learning alliance)

### **Other useful Pre-School Learning Alliance publications**

- Safeguarding Children (2013)
- Safeguarding through Effective Supervision (2013)
- Employee Handbook (2016)
- People Management in the Early Years (2016)

\*A ‘young person’ is defined as 16 to 19 years old – in our Pre-School they may be a student, worker, volunteer or parent. A ‘vulnerable adult’ is defined as a person ‘who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation’ (No Secrets DoH 2015).

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This Policy was adopted at a meeting with the Pre-School owner and leader of Abbots Langley Pre-School held on	MARCH 2020
Date to be reviewed	MARCH 2022 OR SOONER IF CHANGES NEED TO BE MADE
Provider	Pre-School Owner